

Minutes of Plan Commission Meeting January 15, 2019

Call to Order – Phil Wedekind called the meeting of the Commission to order at 5:15 PM.

Roll Call – Present were Phil Wedekind, Dennis Thurow, Roy Franzen, Pat Liston, Jim O'Neill, Tom Kolb, and Kate Fitzwilliams.

Also in attendance were Administrator Geick, Tom Pinion, Attorney Truman, Steve & Sara Messner, Chasity Gabrielson, Tyler Edwards.

Call to Order

- a. Note compliance with the Open Meeting Law. Wedekind noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by Kolb, seconded by Franzen to approve the agenda as amended and posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by Liston, seconded by O'Neill to approve the minutes of the December 18, 2018 meeting. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) – Sara Messner introduced herself and husband, Steve to the Commission. She said that she was the one wanting to open the pet grooming business in the City. She said that Messy Mutts LLC was the business that they ran out of their home in Darlington.

New Business

- a. Review and approve a two-lot Certified Survey Map for land in the SW¼ of the SW¼ of Section 3, T11N, R6E, City of Baraboo, at 1040 State Rd 136 for Menard, Inc. – Tyler Edwards, real estate representative for Menard's introduced himself to the Commission. Engineer Pinion said that Menard's is looking to expand the yard entrance to have another lane to minimize the time getting into the yard area. He said that because the building will straddle the existing property line, to meet State Building Code, they need to move the property line. It was moved by Liston, seconded by Franzen to approve the CSM as presented. On roll call for the motion, Ayes – Thurow, Franzen, Liston, O'Neill, Kolb, Fitzwilliams, and Wedekind. Nay – 0, motion carried 7-0.
- b. Consideration of Ad-Hoc Zoning Committee's recommendation for regulating Short-Term Rentals in the City of Baraboo – Pinion said that this came to the Commission from the Ad-Hoc Zoning Committee. He gave the background to the Commission, and stated that Attorney Truman worked diligently in drafting an ordinance to revise the definition of a short-term rental, and then created Section 17.13(a). He said it took six pages to identify everything that is necessary in order to adequately regulate this type of use. It was moved by Liston, seconded by Franzen, to recommend forwarding the draft ordinance to City Council with a favorable recommendation. On roll call vote for the motion, Ayes – Franzen, Liston, O'Neill, Kolb, Fitzwilliams, Wedekind, and Thurow. Nay – 0, the motion carried 7-0.
- c. Consideration of an amendment to the Zoning Code to add Service and Pet Grooming to allowable permitted uses in the B-2 Neighborhood Business, B-3 Highway-Oriented Business and I-4 Planned Industrial/Business districts – Pinion gave the background saying that in researching the zoning code, "Pet Grooming" is not mentioned as either a permitted use or conditional use in any of the zoning districts. He noted that oddly enough it is grouped together with veterinary clinics, animal hospitals, and boarding and collectively this group of uses is prohibited as both a home occupation and professional home office. Pinion said that it is peculiar that this use is prohibited in certain circumstances but not allowed anywhere in the Code. He explained the same situation exists for definition 92(a) "Retail Sales and Services". Although "Pet Grooming" could possibly fall under Retail Sales and Services since it could be considered a non-personal or non-professional service, amending the Zoning Code to provide this defined use as a permitted and/or conditional use in certain zoning districts would seem more appropriate. He explained that if the Zoning Code is going to be amended to allow the defined terms of "Retail Sales and Services" and "Pet Grooming", the questions is where the Commission wants them. He said that the suggestion according to the agenda item is B-2 Neighborhood Business, B-3 Highway-Oriented Business, and I-4 Planned Industrial/Business. However, that does not preclude the Commission from recommending them in other districts too. Fitzwilliams questioned how many pet grooming places existing within the City at this time. It was stated that there is one in a B-3 zoning district that has been there for a while; therefore, Pinion does not know if the Commission wants to contend that it is grandfathered. The Commission asked where Messner was proposing to locate. It was stated in Westwood Park on 8th Avenue in a unit that is currently a hair salon, which is located in a B-2 zoning district. Franzen stated that he does not see why this "small business park" would not allow Pet Grooming. Pinion said that it just is not a listed use in the Zoning Code; however, the Commission could change that. Liston said that outside kennels should not be allowed. Truman said that this would be a totally different can of worms. Liston said that it is, but it is not because sometimes a dog could be kenneled while another dog is being groomed. Messner said that when she had her business in Darlington, it was by appointment only, and there were no outside kennels. Pinion said that he feels that pet grooming could be added and defined to exclude boarding and/or kenneling. O'Neill felt that it should state small animals, dogs and

cats. Truman felt that this would be a good idea, that the definition should be limited to dogs and cats, or other domesticated animals; whatever the Commission decides. It was moved by Franzen, seconded by Liston, to add Pet Grooming business as a permitted use in the B1, B2, B-3, and I-4 zoning districts, only allowing dogs and cats, and no outside kennels or boarding. On roll call vote for the motion, Ayes – Liston, O'Neill,, Kolb, Fitzwilliams, Wedekind, Thurow, and Franzen. Nay – 0, the motion carried 7-0. Liston wanted the sale of live animals to be not be allowed in the Retail Sales definition. Kolb asked if the Commission could hold off on the Retail Sales definition and have staff bring back a definition next month.

Adjournment - It was moved by Liston, seconded by Fitzwilliams to adjourn at 5:32 p.m. The motion carried unanimously.

Phil Wedekind, Mayor Designee